

(24) In SECTION 4 of the bill, Section 23.12C(b), Tax Code (House engrossment, page 18, line 14), strike "23.12A" and substitute "23.121" and strike "23.12B" and substitute "23.122".

(25) In SECTION 4 of the bill, Section 23.12C(c)(5), Tax Code (House engrossment, page 19, line 6), strike "23.12A" and substitute "23.121" and strike "23.12B" and substitute "23.122".

The committee amendment was read and was adopted by a viva voce vote.

**BILL REMOVED FROM
LOCAL AND UNCONTESTED BILLS CALENDAR**

<u>Number</u>	<u>Senator Removing</u>
H.B. 1593	Brown

**CONCLUSION OF SESSION FOR
LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Truan, the Senate at 7:51 a.m. adjourned until 9:30 a.m. today.

**SEVENTY-SECOND DAY
(Tuesday, May 16, 1995)**

The Senate met at 9:30 a.m. pursuant to adjournment and was called to order by Senator Truan.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

(President in Chair)

The Reverend Karl A. Gronberg, Gethsemane Lutheran Church, Austin, offered the invocation as follows:

Holy, holy, holy is the Lord God—the whole earth is full of the glory of creator, redeemer, sanctifier. We come before You at the beginning of this day asking for Your gift of wisdom for all of us

and particularly for those persons entrusted by the people to work for the good of all. Help them, O God of love, to direct our thoughts and actions to that which is true, honest, pure, decent, virtuous, and worthy of praise, for we live this day in Your grace and mercy. Amen. Amen. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

CO-SPONSOR OF HOUSE JOINT RESOLUTION 14

On motion of Senator Patterson and by unanimous consent, Senator Haywood will be shown as Co-sponsor of **H.J.R. 14**.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

- H.B. 18** to Committee on Jurisprudence.
- H.B. 29** to Committee on Finance.
- H.B. 52** to Committee on Intergovernmental Relations.
- H.B. 76** to Committee on Health and Human Services.
- H.B. 93** to Committee on Criminal Justice.
- H.B. 137** to Committee on Criminal Justice.
- H.B. 138** to Committee on Criminal Justice.
- H.B. 175** to Committee on State Affairs.
- H.B. 211** to Committee on Natural Resources.
- H.B. 228** to Committee on State Affairs.
- H.B. 246** to Committee on Intergovernmental Relations.
- H.B. 299** to Committee on Health and Human Services.
- H.B. 302** to Committee on Criminal Justice.
- H.B. 422** to Committee on Jurisprudence.
- H.B. 482** to Committee on Jurisprudence.
- H.B. 485** to Committee on State Affairs.
- H.B. 496** to Committee on International Relations, Trade, and Technology.
- H.B. 632** to Committee on Finance.
- H.B. 647** to Committee on Jurisprudence.
- H.B. 692** to Committee on Jurisprudence.
- H.B. 852** to Committee on Jurisprudence.
- H.B. 883** to Committee on Health and Human Services.
- H.B. 888** to Committee on Finance.
- H.B. 932** to Committee on Criminal Justice.
- H.B. 938** to Committee on Education.
- H.B. 982** to Committee on Health and Human Services.
- H.B. 1053** to Committee on Health and Human Services.
- H.B. 1079** to Committee on Criminal Justice.
- H.B. 1108** to Committee on Health and Human Services.
- H.B. 1109** to Committee on Health and Human Services.

H.B. 1125 to Committee on Economic Development.
H.B. 1195 to Committee on Jurisprudence.
H.B. 1201 to Committee on Finance.
H.B. 1209 to Committee on Jurisprudence.
H.B. 1243 to Committee on Economic Development.
H.B. 1247 to Committee on Criminal Justice.
H.B. 1277 to Committee on Finance.
H.B. 1330 to Committee on State Affairs.
H.B. 1357 to Committee on Jurisprudence.
H.B. 1361 to Committee on Intergovernmental Relations.
H.B. 1367 to Committee on State Affairs.
H.B. 1433 to Committee on Criminal Justice.
H.B. 1440 to Committee on Criminal Justice.
H.B. 1496 to Committee on Natural Resources.
H.B. 1538 to Committee on Criminal Justice.
H.B. 1541 to Committee on Intergovernmental Relations.
H.B. 1632 to Committee on Jurisprudence.
H.B. 1649 to Committee on Health and Human Services.
H.B. 1650 to Committee on Criminal Justice.
H.B. 1652 to Committee on Criminal Justice.
H.B. 1662 to Committee on Health and Human Services.
H.B. 1687 to Committee on Education.
H.B. 1726 to Committee on Health and Human Services.
H.B. 1783 to Committee on Intergovernmental Relations.
H.B. 1836 to Committee on Finance.
H.B. 2031 to Committee on Jurisprudence.
H.B. 2032 to Committee on State Affairs.
H.B. 2330 to Committee on Jurisprudence.
H.B. 2337 to Committee on Economic Development.
H.B. 2449 to Committee on Finance.
H.B. 2464 to Committee on Economic Development.
H.B. 2490 to Committee on State Affairs.
H.B. 2516 to Committee on Jurisprudence.
H.B. 2522 to Committee on Finance.
H.B. 2584 to Committee on State Affairs.
H.B. 2596 to Committee on Finance.
H.B. 2644 to Committee on Health and Human Services.
H.B. 2646 to Committee on Finance.
H.B. 2704 to Committee on Health and Human Services.
H.B. 2712 to Committee on Natural Resources.
H.B. 2747 to Committee on Finance.
H.B. 2801 to Committee on Jurisprudence.
H.B. 2925 to Committee on Natural Resources.
H.B. 3021 to Committee on State Affairs.
H.B. 3050 to Committee on Finance.
H.B. 3193 to Committee on Natural Resources.
H.B. 3235 to Committee on Jurisprudence.

SENATE RESOLUTION 1042

Senator Nelson offered the following resolution:

S.R. 1042, Honoring the Farmers Branch and Metrocrest chambers of commerce on May 16, 1995, for their outstanding civic involvement and their significant contributions to the communities of Farmers Branch, Carrollton, and Addison.

NELSON
SHAPIRO

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Nelson, joined by Senator Shapiro, was recognized and introduced to the Senate members of the Farmers Branch Chamber of Commerce and the Metrocrest Chamber of Commerce.

The Senate welcomed its guests.

BILLS AND RESOLUTION SIGNED

The President announced the signing of the following enrolled bills and resolution in the presence of the Senate after the captions had been read:

S.C.R. 152
S.B. 532
S.B. 1228
S.B. 1617

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
May 15, 1995

TO THE SENATE OF THE SEVENTY-FOURTH LEGISLATURE,
REGULAR SESSION:

On January 10, 1995, Governor Richards submitted the names of the following nominees to the Interagency Council on Early Childhood Intervention Services: Claudette Bryant for a term to expire February 1, 1995; Tammy H. Tiner, Ph.D., for a term to expire February 1, 1997; and Karen Douglas for a term to expire February 1, 1999.

Please correct your records to show that the terms for Ms. Bryant, Dr. Tiner and Ms. Douglas all expire on February 1, 1995.

Respectfully submitted,
/s/George W. Bush
Governor of Texas

SENATE BILL 81 WITH HOUSE AMENDMENTS

Senator Shapiro called **S.B. 81** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Amendment

Amend **S.B. 81** by substituting in lieu thereof the following:

**A BILL TO BE ENTITLED
AN ACT**

relating to children's advocacy centers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 264, Family Code, as added by **H.B. 655**, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. CHILDREN'S ADVOCACY CENTERS

Sec. 264.401. DEFINITION. In this subchapter, "center" means a children's advocacy center.

Sec. 264.402. ESTABLISHMENT OF CHILDREN'S ADVOCACY CENTER. (a) On the execution of a memorandum of understanding under Section 264.403, a children's advocacy center may be established by the participating entities.

(b) A center may be established to serve two or more contiguous counties.

Sec. 264.403. INTERAGENCY MEMORANDUM OF UNDERSTANDING. (a) Before a center may be established under Section 264.402, a memorandum of understanding regarding participation in operation of the center must be executed among:

(1) the division of the department responsible for child abuse investigations;

(2) representatives of county and municipal law enforcement agencies that investigate child abuse in the area to be served by the center;

(3) the county or district attorney who routinely prosecutes child abuse cases in the area to be served by the center; and

(4) a representative of any other governmental entity that participates in child abuse investigations or offers services to child abuse victims that desires to participate in the operation of the center.

(b) A memorandum of understanding executed under this section shall include the agreement of each participating entity to cooperate in:

(1) developing a cooperative, team approach to investigating child abuse;

(2) reducing, to the greatest extent possible, the number of interviews required of a victim of child abuse to minimize the negative impact of the investigation on the child; and

(3) developing, maintaining, and supporting, through the center, an environment that emphasizes the best interests of children and that provides investigatory and rehabilitative services.

(c) A memorandum of understanding executed under this section may include the agreement of one or more participating entities to provide office space and administrative services necessary for the center's operation.

Sec. 264.404. BOARD; ADMINISTRATION OF CENTER. (a) The executive officer or board of each participating entity executing a memorandum of understanding that establishes a center under this subchapter shall appoint a member to serve on the governing board of the center.

(b) A governing board member serves at the pleasure of the appointing executive officer or board.

(c) Service on a center's board by a public officer or employee is an additional duty of the office or employment.

Sec. 264.405. DUTIES. A center shall:

(1) assess victims of child abuse and their families to determine their need for services relating to the investigation of child abuse;

(2) provide services determined to be needed under Subdivision (1);

(3) provide a facility at which a multidisciplinary team appointed under Section 264.406 can meet to facilitate the efficient and appropriate disposition of child abuse cases through the civil and criminal justice systems; and

(4) coordinate the activities of governmental entities relating to child abuse investigations and delivery of services to child abuse victims and their families.

Sec. 264.406. MULTIDISCIPLINARY TEAM. (a) A center's board shall appoint a multidisciplinary team to work within the center to review new and pending child abuse cases for the purpose of coordinating the activities of entities involved in investigation, prosecution, and victim services.

(b) A multidisciplinary team may review a child abuse case in which the alleged perpetrator does not have custodial control or supervision of the child or is not responsible for the child's welfare or care.

(c) A multidisciplinary team shall consist of persons who are involved in the investigation or prosecution of child abuse cases or the delivery of services to child abuse victims and their families.

(d) A multidisciplinary team shall meet at the call of the board. The board shall call a meeting of the multidisciplinary team if:

(1) a new child abuse case is received; or

(2) a pending child abuse case requires attention.

(e) At each meeting, the multidisciplinary team shall discuss each active case and the actions of the entities involved in investigation, prosecution, and victim services.

Sec. 264.407. LIABILITY. (a) A person is not liable for civil damages for a recommendation made or an opinion rendered in good faith while acting in the official scope of the person's duties as a member of a multidisciplinary team or as a board member, staff member, or volunteer of a center.

(b) The limitation on civil liability of Subsection (a) does not apply if a person's actions constitute gross negligence.

SECTION 2. This Act takes effect September 1, 1995.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Floor Amendment No. 1

Amend C.S.S.B. 81 (House committee report) as follows:

(1) On page 4, between lines 19 and 20, insert new Sections 2-7 to the bill to read as follows:

"SECTION 2. Chapter 264, Family Code, as added by H.B. 655, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. CHILD FATALITY REVIEW AND INVESTIGATION

Sec. 264.501. DEFINITIONS. In this subchapter:

(1) "Autopsy" and "inquest" have the meanings assigned by Section 49.01, Code of Criminal Procedure.

(2) "Bureau of vital statistics" means the bureau of vital statistics of the Texas Department of Health.

(3) "Child" means a person younger than 18 years of age.

(4) "Committee" means the child fatality review team committee.

(5) "Council" means the Children's Trust Fund of Texas Council.

(6) "Department" means the Department of Protective and Regulatory Services.

(7) "Health care provider" means any health care practitioner or facility that provides medical evaluation or treatment, including dental and mental health evaluation or treatment.

(8) "Meeting" means an in-person meeting or a meeting held by telephone or other electronic medium.

(9) "Preventable death" means a death that may have been prevented by reasonable medical, social, legal, psychological, or educational intervention. The term includes the death of a child from:

(A) intentional or unintentional injuries;

(B) medical neglect;

(C) lack of access to medical care;

(D) neglect and reckless conduct, including failure to supervise and failure to seek medical care; and

(E) premature birth associated with any factor described by Paragraphs (A)-(D).

(10) "Review" means a reexamination of information regarding a deceased child from relevant agencies, professionals, and health care providers.

(11) "Review team" means a child fatality review team established under this subchapter.

(12) "Unexpected death" includes a death of a child that, before investigation:

(A) appears to have occurred without anticipation or forewarning; and

(B) was caused by trauma, suspicious or obscure circumstances, sudden infant death syndrome, abuse or neglect, or an unknown cause.

Sec. 264.502. COMMITTEE. (a) The child fatality review team committee is composed of:

(1) a person appointed by and representing the state registrar for the bureau of vital statistics;

(2) a person appointed by and representing the director of Protective Services for Families and Children of the department;

(3) a person appointed by and representing the director of the bureau of epidemiology of the Texas Department of Health;

(4) a person appointed by and representing the executive director of the council; and

(5) individuals selected under Subsection (b).

(b) The members of the committee who serve under Subsections (a)(1)-(4) shall select the following additional committee members:

(1) a criminal prosecutor involved in prosecuting crimes against children;

(2) a sheriff;

(3) a justice of the peace;

(4) a medical examiner;

(5) a police chief;

(6) a pediatrician experienced in diagnosing and treating child abuse and neglect;

(7) a child educator;

(8) a child mental health provider;

(9) a public health professional;

(10) a child protective services specialist;

(11) a sudden infant death syndrome family service provider;

(12) a neonatologist;

(13) a child advocate; and

(14) a chief juvenile probation officer.

(c) Members of the committee selected under Subsection (b) serve two-year terms that expire on February 1 of each even-numbered year.

(d) Members selected under Subsection (b) must reflect the geographical, cultural, racial, and ethnic diversity of the state.

(e) An appointment to a vacancy on the committee shall be made in the same manner as the original appointment.

(f) Members of the committee shall select a presiding officer from the members of the committee.

(g) The presiding officer of the committee shall call the meetings of the committee, which shall be held at least quarterly.

(h) A member of the committee is not entitled to compensation for serving on the committee but is entitled to reimbursement for the member's travel expenses as provided in the General Appropriations Act. Reimbursement under this subsection for a person serving on the committee under Subsection (a)(1) or (3) shall be paid from funds appropriated to the Texas Department of Health. Reimbursement for other persons serving on the committee shall be paid equally from funds appropriated to the department and funds appropriated to the council.

Sec. 264.503. PURPOSE AND DUTIES OF COMMITTEE AND SPECIFIED STATE AGENCIES. (a) The purpose of the committee is to:

(1) develop an understanding of the causes and incidence of child deaths in this state;

(2) identify procedures within the agencies represented on the committee to reduce the number of preventable child deaths; and

(3) promote public awareness and make recommendations to the governor and the legislature for changes in law, policy, and practice to reduce the number of preventable child deaths.

(b) To ensure that the committee achieves its purpose, the department, the council, and the Texas Department of Health shall perform the duties specified by this section.

(c) The department shall:

(1) recognize the creation and participation of review teams;

(2) promote and coordinate training to assist the review teams in carrying out their duties;

(3) assist the committee in developing model protocols for:

(A) the reporting and investigating of child fatalities for law enforcement agencies, child protective services, justices of the peace and medical examiners, and other professionals involved in the investigations of child deaths;

(B) the collection of data regarding child deaths; and

(C) the operation of the review teams; and

(4) develop and implement procedures necessary for the operation of the committee.

(d) The council shall promote education of the public regarding the incidence and causes of child deaths, the public role in preventing child deaths, and specific steps the public can undertake to prevent child deaths. The committee shall enlist the support and assistance of civic, philanthropic, and public service organizations in the performance of the duties imposed under this subsection.

(e) The Texas Department of Health shall:

(1) collect data under this subchapter and coordinate the collection of data under this subchapter with other data collection activities; and

(2) perform annual statistical studies of the incidence and causes of child fatalities using the data collected under this subchapter.

(f) The committee shall issue annual reports on the committee's activities, including findings and recommendations relating to each purpose and duty of the committee described by this section. Not later than

December 1 of each even-numbered year, the committee shall publish the report and submit a copy of the report to the governor, lieutenant governor, and speaker of the house of representatives.

Sec. 264.504. MEETINGS OF COMMITTEE. (a) Except as provided by Subsections (b), (c), and (d), meetings of the committee are subject to Chapter 551, Government Code, as if the committee were a governmental body under that chapter.

(b) Any portion of a meeting of the committee during which the committee discusses an individual child's death is closed to the public and is not subject to Chapter 551, Government Code.

(c) Information identifying a deceased child, a member of the child's family, a guardian or caretaker of the child, or an alleged or suspected perpetrator of abuse or neglect of the child may not be disclosed during a public meeting.

(d) Information regarding the involvement of a state or local agency with the deceased child or another person described by Subsection (c) may not be disclosed during a public meeting.

(e) The committee may conduct an open or closed meeting by telephone conference call or other electronic medium. A meeting held under this subsection is subject to the notice requirements applicable to other meetings. The notice of the meeting must specify as the location of the meeting the location where meetings of the committee are usually held. Each part of the meeting by telephone conference call that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting and shall be tape-recorded. The tape recording shall be made available to the public.

(f) This section does not prohibit the committee from requesting the attendance at a closed meeting of a person who is not a member of the committee and who has information regarding a deceased child.

Sec. 264.505. ESTABLISHMENT OF REVIEW TEAM. (a) A multidisciplinary and multiagency child fatality review team may be established for a county to review child deaths in that county. A review team for a county with a population of less than 50,000 may join with an adjacent county or counties to establish a combined review team.

(b) Any person who may be a member of a review team under Subsection (c) may initiate the establishment of a review team and call the first organizational meeting of the team.

(c) A review team may include:

(1) a criminal prosecutor involved in prosecuting crimes against children;

(2) a sheriff;

(3) a justice of the peace or medical examiner;

(4) a police chief;

(5) a pediatrician experienced in diagnosing and treating child abuse and neglect;

(6) a child educator;

- (7) a child mental health provider;
- (8) a public health professional;
- (9) a child protective services specialist;
- (10) a sudden infant death syndrome family service provider;
- (11) a neonatologist;
- (12) a child advocate; and
- (13) a chief juvenile probation officer.

(d) Members of a review team may select additional team members according to community resources and needs.

(e) A review team shall select a presiding officer from its members.

Sec. 264.506. PURPOSE AND DUTIES OF REVIEW TEAM. (a) The purpose of a review team is to decrease the incidence of preventable child deaths by:

- (1) providing assistance, direction, and coordination to investigations of child deaths;
- (2) promoting cooperation, communication, and coordination among agencies involved in responding to child fatalities;
- (3) developing an understanding of the causes and incidence of child deaths in the county or counties in which the review team is located;
- (4) recommending changes to agencies, through the agency's representative member, that will reduce the number of preventable child deaths; and
- (5) advising the committee on changes to law, policy, or practice that will assist the team and the agencies represented on the team in fulfilling their duties.

(b) To achieve its purpose, a review team shall:

- (1) adapt and implement, according to local needs and resources, the model protocols developed by the department and the committee;
- (2) meet on a regular basis to review child fatality cases and recommend methods to improve coordination of services and investigations between agencies that are represented on the team;
- (3) collect and maintain data as required by the committee; and
- (4) submit to the bureau of vital statistics data reports on deaths reviewed as specified by the committee.

(c) A review team shall initiate prevention measures as indicated by the review team's findings.

Sec. 264.507. DUTIES OF PRESIDING OFFICER. The presiding officer of a review team shall:

- (1) send notices to the review team members of a meeting to review a child fatality;
- (2) provide a list to the review team members of each child fatality to be reviewed at the meeting;
- (3) submit data reports to the bureau of vital statistics not later than the 30th day after the date on which the review took place; and
- (4) ensure that the review team operates according to the protocols developed by the department and the committee, as adapted by the review team.

Sec. 264.508. REVIEW PROCEDURE. (a) The review team of the county in which the injury, illness, or event that was the cause of the death of the child occurred, as stated on the child's death certificate, shall review the death.

(b) On receipt of the list of child fatalities under Section 264.507, each review team member shall review the member's records and the records of the member's agency for information regarding each listed child.

Sec. 264.509. ACCESS TO INFORMATION. (a) A review team may request information and records regarding a deceased child as necessary to carry out the review team's purpose and duties. Records and information that may be requested under this section include:

(1) medical, dental, and mental health care information; and

(2) information and records maintained by any state or local government agency, including:

(A) a birth certificate;

(B) law enforcement investigative data;

(C) medical examiner investigative data;

(D) juvenile court records;

(E) parole and probation information and records; and

(F) child protective services information and records.

(b) On request of the presiding officer of a review team, the custodian of the relevant information and records relating to a deceased child shall provide those records to the review team.

Sec. 264.510. MEETING OF REVIEW TEAM. (a) A meeting of a review team is closed to the public and not subject to Chapter 551, Government Code.

(b) This section does not prohibit a review team from requesting the attendance at a closed meeting of a person who is not a member of the review team and who has information regarding a deceased child.

(c) Except as necessary to carry out a review team's purpose and duties, members of a review team and persons attending a review team meeting may not disclose what occurred at the meeting.

(d) A member of a review team participating in the review of a child death is immune from civil or criminal liability arising from information presented in or opinions formed as a result of a meeting.

Sec. 264.511. USE OF INFORMATION AND RECORDS: CONFIDENTIALITY. (a) Information and records acquired by the committee or by a review team in the exercise of its purpose and duties under this subchapter are confidential and exempt from disclosure under Chapter 552, Government Code, and may only be disclosed as necessary to carry out the committee's or review team's purpose and duties.

(b) A report of the committee or of a review team or a statistical compilation of data reports is a public record subject to Chapter 552, Government Code, as if the committee or review team were a governmental body under that chapter, if the report or statistical compilation does not contain any information that would permit the identification of an individual.

(c) A member of a review team may not disclose any information that is confidential under this section.

(d) Information, documents, and records of the committee or of a review team that are confidential under this section are not subject to subpoena or discovery and may not be introduced into evidence in any civil or criminal proceeding, except that information, documents, and records otherwise available from other sources are not immune from subpoena, discovery, or introduction into evidence solely because they were presented during proceedings of the committee or a review team or are maintained by the committee or a review team.

Sec. 264.512. GOVERNMENTAL UNITS. The committee and a review team are governmental units for purposes of Chapter 101, Civil Practice and Remedies Code. A review team is a unit of local government under that chapter.

Sec. 264.513. REPORT OF DEATH OF CHILD. (a) A person who knows of the death of a child younger than six years of age shall immediately report the death to the medical examiner of the county in which the death occurs or, if the death occurs in a county that does not have a medical examiner's office or that is not part of a medical examiner's district, to a justice of the peace in that county.

(b) The requirement of this section is in addition to any other reporting requirement imposed by law, including any requirement that a person report child abuse or neglect under this code.

(c) A person is not required to report a death under this section that is the result of a motor vehicle accident. This subsection does not affect a duty imposed by another law to report a death that is the result of a motor vehicle accident.

Sec. 264.514. PROCEDURE IN THE EVENT OF REPORTABLE DEATH. (a) A medical examiner or justice of the peace notified of a death of a child under Section 264.513 shall hold an inquest under Chapter 49, Code of Criminal Procedure, to determine whether the death is unexpected.

(b) The medical examiner or justice of the peace shall immediately notify an appropriate local law enforcement agency if the medical examiner or justice of the peace determines that the death is unexpected, and that agency shall investigate the child's death.

Sec. 264.515. INVESTIGATION. (a) The investigation required by Section 264.514 must include:

(1) an autopsy, unless an autopsy was conducted as part of the inquest;

(2) an inquiry into the circumstances of the death, including an investigation of the scene of the death and interviews with the parents of the child, any guardian or caretaker of the child, and the person who reported the child's death; and

(3) a review of relevant information regarding the child from an agency, professional, or health care provider.

(b) The review required by Subsection (a)(3) must include a review of any applicable medical record, child protective services record, record

maintained by an emergency medical services provider, and law enforcement report.

(c) The committee shall develop a protocol relating to investigation of an unexpected death of a child under this section. In developing the protocol, the committee shall consult with individuals and organizations that have knowledge and experience in the issues of child abuse and child deaths.

SECTION 3. Article 49.04(a), Code of Criminal Procedure, is amended to read as follows:

(a) A justice of the peace shall conduct an inquest into the death of a person who dies in the county served by the justice if:

- (1) the person dies in prison or in jail;
- (2) the person dies an unnatural death from a cause other than a legal execution;
- (3) the body of the person is found and the cause or circumstances of death are unknown;
- (4) the circumstances of the death indicate that the death may have been caused by unlawful means;
- (5) the person commits suicide or the circumstances of the death indicate that the death may have been caused by suicide;
- (6) the person dies without having been attended by a physician;
- (7) the person dies while attended by a physician who is unable to certify the cause of death and who requests the justice of the peace to conduct an inquest; or
- (8) the person is a child who is younger than six years ~~[18 months]~~ of age and the death is reported under Chapter 264, Family Code ~~[suspected cause of death is sudden infant death syndrome]~~.

SECTION 4. Article 49.10(e), Code of Criminal Procedure, is amended to read as follows:

(e) A justice of the peace shall order an autopsy performed on a body if:

- (1) the justice determines that an autopsy is necessary to determine or confirm the nature and cause of death; ~~[or]~~
- (2) the deceased was a child younger than six years of age and the death was reported under Chapter 264, Health and Safety Code; or
- (3) directed to do so by the district attorney, criminal district attorney, or, if there is no district or criminal district attorney, the county attorney.

SECTION 5. Section 6, Article 49.25, Code of Criminal Procedure, is amended to read as follows:

Sec. 6. DEATH INVESTIGATIONS. Any medical examiner, or his duly authorized deputy, shall be authorized, and it shall be his duty, to hold inquests with or without a jury within his county, in the following cases:

1. When a person shall die within twenty-four hours after admission to a hospital or institution or in prison or in jail;
2. When any person is killed; or from any cause dies an unnatural death, except under sentence of the law; or dies in the absence of one or more good witnesses;

3. When the body of a human being is found, and the circumstances of his death are unknown;

4. When the circumstances of the death of any person are such as to lead to suspicion that he came to his death by unlawful means;

5. When any person commits suicide, or the circumstances of his death are such as to lead to suspicion that he committed suicide;

6. When a person dies without having been attended by a duly licensed and practicing physician, and the local health officer or registrar required to report the cause of death under Section 193.005, Health and Safety Code, does not know the cause of death. When the local health officer or registrar of vital statistics whose duty it is to certify the cause of death does not know the cause of death, he shall so notify the medical examiner of the county in which the death occurred and request an inquest; ~~and~~

7. When the person is a child who is younger than six years of age and the death is reported under Chapter 264, Family Code; and

8. When a person dies who has been attended immediately preceding his death by a duly licensed and practicing physician or physicians, and such physician or physicians are not certain as to the cause of death and are unable to certify with certainty the cause of death as required by Section 193.004, Health and Safety Code. In case of such uncertainty the attending physician or physicians, or the superintendent or general manager of the hospital or institution in which the deceased shall have died, shall so report to the medical examiner of the county in which the death occurred, and request an inquest.

The inquests authorized and required by this Article shall be held by the medical examiner of the county in which the death occurred.

In making such investigations and holding such inquests, the medical examiner or an authorized deputy may administer oaths and take affidavits. In the absence of next of kin or legal representatives of the deceased, the medical examiner or authorized deputy shall take charge of the body and all property found with it.

SECTION 6. (a) The executive directors of the Children's Trust Fund of Texas Council and the Department of Protective and Regulatory Services shall jointly call a meeting of the individuals to serve on the child fatality review team committee under Sections 264.502(a)(1)-(4), Family Code, as added by this Act, to be held not later than October 1, 1995. Those members of the committee shall select the members to serve under Section 264.502(b), Family Code, as added by this Act, not later than December 1, 1995.

(b) The initial members of the committee are appointed to serve terms expiring February 1, 1996.

(c) The first meeting of the child fatality review team committee that includes members selected under Section 264.502(b), Family Code, as added by this Act, shall be held not later than January 1, 1996.

SECTION 7. The child fatality review team committee shall develop the protocol required by Section 264.515(c), Family Code, as added by this Act, not later than September 1, 1996."

(2) On page 4, line 20, strike "SECTION 2" and substitute "SECTION 8".

(3) On page 4, strike line 24 and substitute "SECTION 9. Subject to Section 8 of this Act, this Act takes".

(4) On page 4, line 26, strike "SECTION 4" and substitute "SECTION 10".

The amendments were read.

On motion of Senator Shapiro and by unanimous consent, the Senate concurred in the House amendments to **S.B. 81** by a viva voce vote.

CAPITOL PHYSICIAN

The President recognized Senator Zaffirini, who presented Dr. Antonio Falcon of Rio Grande City as the "Doctor for the Day." Dr. Falcon was accompanied by his daughter, Sara Elizabeth Falcon, his niece, Melissa Falcon, and friend, Ashley Webb.

Dr. Falcon, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was made welcome by the Senate.

CONCLUSION OF MORNING CALL

The President at 9:44 a.m. announced the conclusion of morning call.

HOUSE BILL 2507 ON SECOND READING

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 2507, Relating to the lease of the Amarillo campus of the Texas State Technical College System to Amarillo College.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 2507 ON THIRD READING

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 2507** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE

HOUSE BILL 2151 ON SECOND READING

On motion of Senator Cain and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 2151, Relating to the issuance of titles to certain motor vehicles; providing a penalty.

The bill was read second time.

Senator Armbrister offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.H.B. 2151** as follows:

Add Subsection (y) to SECTION 1 (committee printing page 7, line 4):

(y) A person required to register under Section 152.065, Tax Code may include in each customer agreement a separate charge for the proportionate amount of title fees, registration fees, and property taxes paid in the preceding calendar year on their vehicle fleet. If a person includes such charge, it must be done on a non-discriminatory basis and shall be collected in all agreements except those which are exempt from the taxes imposed in Section 152.026, Tax Code.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to third reading by a viva voce vote.

RECORD OF VOTE

Senator Harris asked to be recorded as voting "Nay" on the passage of the bill to third reading.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2151 ON THIRD READING**

Senator Cain moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.H.B. 2151** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

RECORD OF VOTE

Senator Harris asked to be recorded as voting "Nay" on the final passage of the bill.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2599 ON SECOND READING**

On motion of Senator Cain and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 2599, Relating to the licensing and regulation of certain persons dealing in salvage vehicles and parts; providing criminal penalties.

The bill was read second time and was passed to third reading by a viva voce vote.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2599 ON THIRD READING**

Senator Cain moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.H.B. 2599** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

SENATE RESOLUTION 1073

Senator Shapiro offered the following resolution:

WHEREAS, In the spring of 1945, the Armed Forces of the United States and its allies moved through Europe toward what would soon be the end of World War II; and

WHEREAS, Following graduation from Texas A&M University in 1943, Kenneth Bresnen entered the United States Army as a second lieutenant; and

WHEREAS, On April 10, 1945, Lieutenant Bresnen's regiment was on detachment from the Third Army to the First Army when his platoon liberated a camp for displaced persons located in Arnsberg, Germany; and

WHEREAS, Madame Lucette Demeestere of Brussels, Belgium, had been detained in the Arnsberg camp with her young son, Guy, after her husband, a diplomat representing the Baltic states in Brussels, was killed by aerial bombing in 1944; and

WHEREAS, Against the background of a war-ravaged Europe being delivered from years of Nazi domination, Lieutenant Bresnen and Madame Demeestere became friends and the young lieutenant established a special relationship with Guy; and

WHEREAS, Their time together was cut short when Lieutenant Bresnen's regiment was ordered to return to the Third Army, which would take him into Austria, Czechoslovakia, and Bavaria; and

WHEREAS, Following Lieutenant Bresnen's service as commandant of the occupied area surrounding Schoenberg, Bavaria, the Army returned him to the United States; and

WHEREAS, Due to the chaos of the end of the war and the demands of military service during the occupation, Lieutenant Bresnen was separated from Madame Demeestere and Guy, and the three lost contact with each other; and

WHEREAS, In 1991, following a trip to Germany to retrace his war experiences, Mr. Bresnen was able to locate Guy in Brussels and through him, Madame Demeestere; and

WHEREAS, Mr. Bresnen and his wife, Brooksy, traveled to Brussels in 1992 to reestablish the friendship that was interrupted by war 47 years earlier; and

WHEREAS, Now 50 years after the end of World War II in Europe, Madame Demeestere has come to Texas, making her first trip to the United States to continue her friendship with the young lieutenant who delivered Guy and her from the Arnsberg detention camp five decades ago; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 74th Legislature, hereby welcome Madame Lucette Demeestere to the United States and Texas; and, be it further

RESOLVED, That the Senate of the State of Texas honor and celebrate the friendship established 50 years ago and congratulate the friends for finding each other again after so long.

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Shapiro, the resolution was adopted by a rising vote of the Senate.

GUESTS PRESENTED

Senator Shapiro was recognized and introduced to the Senate Madame Lucette Demeestere of Brussels, Belgium; Isabella Cunningham, interpreter for Madame Demeestere; Kenneth Bresnen and his wife Brooksy; Kenneth Bresnen, Jr., and his niece Mollie; and Steve Bresnen, Director of Policy and General Counsel for the Lieutenant Governor.

The Senate welcomed its distinguished guests.

(Senator Truan in Chair)

COMMITTEE SUBSTITUTE HOUSE BILL 2459 ON SECOND READING

On motion of Senator Ellis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 2459, Relating to public funds investment.

The bill was read second time.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.H.B. 2459** in SECTION 1 of the bill, in Section 2256.011 (committee printing page 5, lines 24-26) by reinstating the struck-through subsection 2256.014(a)(4), by replacing the phrase "a bank domiciled in this state" with the phrase "a financial institution doing business in this state", and making any necessary conforming changes:

The amendment was read and was adopted by a viva voce vote.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 2

Amend **C.S.H.B. 2459** in SECTION 1 of the bill, in Section 2256.014(c) by inserting a new subsection 2256.014(c)(3) (committee

printing page 6, line 38) as shown below, renumbering the existing subsection 2256.014(c)(3), and making any necessary conforming changes:

(3) invest any portion of bond proceeds, reserves and funds held for debt service, in mutual funds described in Subsection (b).

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to third reading by a viva voce vote.

COMMITTEE SUBSTITUTE HOUSE BILL 2459 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.H.B. 2459** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

(President in Chair)

SENATE BILL 1704 ON THIRD READING

Senator Shapiro moved that the regular order of business be suspended and that **S.B. 1704** be placed on its third reading and final passage.

S.B. 1704, Relating to the review and approval of certain permits by the state, a municipality, or other local governmental agencies.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Barrientos.

The bill was read third time.

Senator Shapiro offered the following amendment to the bill:

Floor Amendment No. 1

Amend **S.B. 1704** by striking the words "regulations for colonias" on page 2, line 27, and substituting the following in lieu:

"state or local laws, including city or county ordinances, rules, regulations or other requirements, affecting colonias"

By unanimous consent, the amendment was read and was adopted by a viva voce vote.

The bill as again amended was finally passed by the following vote: Yeas 29, Nays 2.

Yeas: Armbrister, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire.

Nays: Barrientos, Zaffirini.

(Senator Ellis in Chair)

**COMMITTEE SUBSTITUTE
HOUSE BILL 2162 ON SECOND READING**

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 2162, Relating to the efficient administration of the criminal justice system.

The bill was read second time.

Senator Harris offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.H.B. 2162** in Article 1 by adding appropriately numbered SECTIONS to read as follows and by renumbering existing SECTIONS accordingly:

SECTION ____ . Section 497.035(a), Government Code, is amended to read as follows:

(a) A person commits an offense if the person intentionally sells or offers to sell on the open market in this state an article or product the person knows was manufactured in whole or in part by an inmate of the institutional division or an inmate in a correctional facility in any other state, other than an inmate:

(1) who was on community supervision, [~~probation or~~] parole, or mandatory supervision;

(2) [~~or~~] employed by an enterprise who has employed the inmate to advantage themselves of the Franchise Tax Credit offered under Subchapter L, Chapter 171, Tax Code, at the time of manufacture; or

(3) participating in a federally certified prison industry enhancement program.

SECTION ____ . Section 497.051, Government Code, is amended to read as follows:

Sec. 497.051. WORK PROGRAM PLAN. (a) The department shall establish policies for the administration of a conditional work program. The policies must include a work program contract that includes an agreement by the resident to contribute from the wages received by the resident for the resident's participation in private industry employment a percentage of the wages, in accordance with rules adopted by the board to comply with the federal prison enhancement certification program established under 18 U.S.C. Section 1761, and a percentage of the wages for:

(1) costs of supervision;

(2) restitution to the victim or victims of the resident; and

(3) savings to be retained for the resident in a designated account for the resident's benefit and receipt on release.

(b) This subchapter does not restore in whole or in part the civil rights of a work program resident.

(c) A work program resident employed under this subchapter is not subject to workers' compensation laws, and the resident and the resident's beneficiaries may not receive compensation under those laws, except that a private industry may provide workers' compensation benefits to a resident and a resident's beneficiaries as necessary to certify a work program operated by the industry as a work pilot project described in 18 U.S.C. Section 1761. [DEFINITIONS. In this subchapter:

[(1) "Resident" means a person transferred to a secure community residential facility under this subchapter.

[(2) "Secure community residential facility" means a monitored structured environment where a resident's interior and exterior movements and activities can be supervised by specific destination and time.

[(3) "Work facility" means a secure community residential facility to which residents may be transferred under this subchapter.]

SECTION ____ . Sections 497.052, 497.053, 497.054, 497.055, 497.056, 497.057, 497.058, and 497.059, Government Code, are repealed.

The amendment was read.

On motion of Senator Harris and by unanimous consent, Floor Amendment No. 1 was withdrawn.

The bill was passed to third reading by a viva voce vote.

COMMITTEE SUBSTITUTE HOUSE BILL 2162 ON THIRD READING

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C.S.H.B. 2162 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

GUESTS PRESENTED

Senator Galloway was recognized and introduced to the Senate a delegation from The Woodlands Christian Center.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Gallegos was recognized and introduced to the Senate a group of seventh-grade students from Clifton Junior High School.

The Senate welcomed its guests.

GUESTS PRESENTED

The Presiding Officer, Senator Ellis in Chair, introduced to the Senate members of the Public Broadcasting Association of Houston.

The Senate welcomed its guests.

BILLS AND RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

H.B. 223	H.B. 1298	H.B. 1818
H.B. 247	H.B. 1337	H.B. 1979
H.B. 523	H.B. 1480	H.B. 2265
H.B. 592	H.B. 1504	H.B. 2732
H.B. 623	H.B. 1531	H.B. 3104
H.B. 724	H.B. 1542	H.C.R. 30
H.B. 846	H.B. 1600	H.C.R. 44
H.B. 867	H.B. 1611	H.C.R. 85
H.B. 981	H.B. 1659	H.C.R. 190
H.B. 1295	H.B. 1695	H.J.R. 64

HOUSE BILL 1157 ON SECOND READING

On motion of Senator Luna and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1157, Relating to the administration of the Texas Guaranteed Student Loan Corporation.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 1157 ON THIRD READING

Senator Luna moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 1157** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

(President in Chair)

HOUSE BILL 94 ON SECOND READING

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 94, Relating to the use of deadly force in defense of a person.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 94 ON THIRD READING

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 94** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

HOUSE BILL 27 ON THIRD READING

On motion of Senator Gallegos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

H.B. 27, Relating to an exemption from continuing education requirements for certain county commissioners.

The bill was read third time.

Senator Wentworth offered the following amendment to the bill:

Floor Amendment No. 1

Amend **H.B. 27** by striking Section 1. (Senate committee report, page 1, lines 13-19) and substitute the following:

Section 1. Section 81.0025, Local Government Code, is amended by adding Subsection (e) to read as follows:

(e) This section does not apply to a county commissioner who:

(1) serves in a county with a population of 1.5 million or more;

(2) has served continuously for 12 years or more; and

(3) attends at least 15 hours of staff briefing on continuing education subjects in each 12-month period as approved by the County Judges and Commissioners Association of Texas.

By unanimous consent, the amendment was read and was adopted by a viva voce vote.

The bill as amended was finally passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE

SENATE BILL 1658 ON SECOND READING

On motion of Senator Gallegos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1658, Relating to tax credits for real property contributed to institutions of higher education.

The bill was read second time and was passed to engrossment by a viva voce vote.

RECORD OF VOTE

Senator Nelson asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE

SENATE BILL 1658 ON THIRD READING

Senator Gallegos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 1658** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Nelson.

The bill was read third time and was passed by a viva voce vote.

RECORD OF VOTE

Senator Nelson asked to be recorded as voting "Nay" on the final passage of the bill.

GUESTS PRESENTED

Senator Truan was recognized and introduced to the Senate a group of students and their teachers from Tuloso-Midway High School of Corpus Christi.

The Senate welcomed its guests.

HOUSE BILL 384 ON SECOND READING

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 384, Relating to service creditable in and eligibility for service retirement from the Employees Retirement System of Texas.

The bill was read second time.

Senator Montford offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **H.B. 384**, by striking SECTION 5 of the bill, and renumbering the remaining SECTIONS accordingly.

The committee amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to third reading by a viva voce vote.

HOUSE BILL 384 ON THIRD READING

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 384** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

GUEST PRESENTED

The President introduced to the Senate Representative Mark Stiles of Beaumont.

The Senate welcomed Representative Stiles.

**COMMITTEE SUBSTITUTE
HOUSE BILL 280 ON SECOND READING**

On motion of Senator Patterson, on behalf of Senator Sims, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 280, Relating to limiting the liability of certain persons for equine activities.

The bill was read second time and was passed to third reading by a viva voce vote.

**COMMITTEE SUBSTITUTE
HOUSE BILL 280 ON THIRD READING**

Senator Patterson, on behalf of Senator Sims, moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.H.B. 280** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

GUEST PRESENTED

Senator Montford was recognized and introduced to the Senate Sundown Independent School District Superintendent, Rip G. D. Lasater.

The Senate welcomed Superintendent Lasater.

(Senator Patterson in Chair)

(President in Chair)

HOUSE BILL 1204 ON SECOND READING

On motion of Senator Wentworth and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1204, Relating to the punishment for contempt of certain persons who fail to respond to a jury summons.

The bill was read second time.

Senator Wentworth offered the following amendment to the bill:

Floor Amendment No. 1

Amend **H.B. 1204** by adding a new SECTION 2, and renumbering subsequent SECTIONS, to read as follows:

SECTION 2. Section 122.002(a), Civil Practice and Remedies Code, is amended to read as follows:

Sec. 122.002(a). A person who is injured because of a violation of this chapter is entitled to reinstatement to his former position and to

~~damages, including back pay, compensatory damages and punitive damages in an amount to be determined by the court. Where reinstatement is not possible, as determined by the court, a person is entitled to front pay [but the damages may not exceed an amount equal to six months' compensation at the rate at which the person was compensated when summoned for jury service].~~

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to third reading by a viva voce vote.

HOUSE BILL 1204 ON THIRD READING

Senator Wentworth moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 1204** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

HOUSE BILL 670 ON SECOND READING

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 670, Relating to permitting competitive hunting dog events on certain state-controlled property.

The bill was read second time.

Senator Rosson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **H.B. 670** by deleting the words "a competitive hunting dog event, including a field trial," on page 1, lines 14 and 15, and inserting in lieu thereof the phrase "a competitive hunting dog field trial".

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to third reading by a viva voce vote.

HOUSE BILL 670 ON THIRD READING

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 670** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 1345 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1345, Relating to tests for human immunodeficiency virus infection of pregnant women or on delivery of a child.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 1345 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 1345** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

HOUSE BILL 1408 ON SECOND READING

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1408, Relating to purchasing, storing, or transporting certain drugs to be administered to a home health or hospice patient.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 1408 ON THIRD READING

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 1408** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

COMMITTEE SUBSTITUTE

HOUSE BILL 2278 ON SECOND READING

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 2278, Relating to the transfer of certain facilities between state agencies.

The bill was read second time and was passed to third reading by a viva voce vote.

COMMITTEE SUBSTITUTE

HOUSE BILL 2278 ON THIRD READING

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.H.B. 2278** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote:
Yeas 31, Nays 0.

(Senator Turner in Chair)

HOUSE BILL 1593 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1593, Relating to payment for the proceeds of oil or gas production.

The bill was read second time.

Senator Bivins offered the following amendment to the bill:

Floor Amendment No. 1

Amend **H.B. 1593** by adding a new SECTION 2 to read as follows and renumbering subsequent Sections accordingly:

SECTION 2. Beginning with the effective date of this Act, the Comptroller of Public Accounts in conjunction with the Railroad Commission may contact payors covered under the terms of this Act and seek such payors' voluntary cooperation in providing production and economic information for the purposes of a study to be performed under the terms of this Section. The Comptroller of Public Accounts and the Railroad Commission shall conduct a study, utilizing existing staff resources of the state. The study shall include, but not be limited to, an examination of the following issues: state tax incentives for the energy industry; natural gas reserves; conservation and prevention of waste of the resources; effect of the present statutory and regulatory framework upon the industry and the state and effect upon the market for and value of Texas natural gas; gas storage; market forces; and environmental impacts. Upon conclusion of the study, the Comptroller in conjunction with the Railroad Commission shall make recommendations to appropriate legislative and regulatory agencies toward maximizing the value of this resource, its economic impact upon the state and its long-range availability and use.

The amendment was read and was adopted by a viva voce vote.

RECORD OF VOTES

Senators Moncrief and Montford asked to be recorded as "Present-not voting" on the adoption of Floor Amendment No. 1.

Senator Barrientos offered the following amendment to the bill:

Floor Amendment No. 2

Amend **H.B. 1593** by adding the following at the end of line 43 on page 2.

"If the payee does not request an annual or monthly payment due from a royalty interest of less than \$10 for a period in excess of 18 months, the

payor shall remit payment of the royalty interest to the Comptroller of Public Accounts for deposit in the Permanent School Fund."

The amendment was read.

On motion of Senator Brown, Floor Amendment No. 2 was tabled by the following vote: Yeas 13, Nays 11, Present-not voting 2.

Yeas: Bivins, Brown, Galloway, Harris, Haywood, Henderson, Leedom, Nixon, Patterson, Shapiro, Sims, Turner, Wentworth.

Nays: Barrientos, Cain, Ellis, Gallegos, Lucio, Madla, Rosson, Truan, West, Whitmire, Zaffirini.

Present-not voting: Moncrief, Montford.

Absent: Armbrister, Luna, Nelson, Ratliff, Sibley.

The bill as amended was passed to third reading by the following vote: Yeas 20, Nays 6, Present-not voting 2.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Nixon, Patterson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Rosson, West, Whitmire.

Present-not voting: Moncrief, Montford.

Absent: Luna, Nelson, Ratliff.

HOUSE BILL 1593 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 1593** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 21, Nays 5, Present-not voting 2.

Yeas: Armbrister, Bivins, Brown, Cain, Ellis, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Nixon, Patterson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, Zaffirini.

Nays: Barrientos, Gallegos, Rosson, West, Whitmire.

Present-not voting: Moncrief, Montford.

Absent: Luna, Nelson, Ratliff.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 6, Present-not voting 2.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Nelson, Nixon, Patterson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Rosson, West, Whitmire.

Present-not voting: Moncrief, Montford.

Absent: Luna, Ratliff.

HOUSE BILL 2182 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 2182, Relating to use of funds in the operation game thief fund and membership of the Operation Game Thief Committee.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 2182 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 2182** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

HOUSE BILL 2505 ON SECOND READING

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 2505, Relating to commercial animal feed; providing a penalty.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 2505 ON THIRD READING

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 2505** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

HOUSE BILL 3116 ON SECOND READING

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 3116, Relating to an exemption from annual registration fees for retired physicians performing voluntary charity care.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 3116 ON THIRD READING

Senator Barrientos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 3116** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President in Chair)

GUESTS PRESENTED

Senator Sims was recognized and introduced to the Senate a group of students and their teachers from Central Elementary School of Belton.

The Senate welcomed its guests.

REPORT OF COMMITTEE ON NOMINATIONS

Senator Bivins submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed.

To be Members of the TEXAS STATE BOARD OF MEDICAL EXAMINERS: Penny Angelo, Midland County; Dr. Carlos Campos, Comal County; Dr. William H. Fleming III, Harris County; Dr. Margeret L. Ford, Harris County; Dr. Thomas D. Kirksey, Travis County; Dr. Suzanne Peck Low, San Patricio County; Dr. Paul G. Meyer, Lubbock County; Dr. Charles W. Monday, Jr., Walker County; Dr. William A. Pollan, Runnels County; Dr. Vernon L. Ryan, Tom Green County; Dr. Raymond Russell Thomas, Colorado County.

To be Members of the BOARD OF PROTECTIVE AND REGULATORY SERVICES: Jon Martin Bradley, Dallas County; Maurine Dickey, Dallas County; Catherine Clark Mosbacher, Harris County.

To be Members of the TEXAS TURNPIKE AUTHORITY BOARD OF DIRECTORS: Tomas Cardenas, Jr., El Paso County; Nathelyne A. Kennedy, Fort Bend County; Mayor Lorraine Perryman, Ector County; Jere W. Thompson, Jr., Dallas County; Leahray S. Wroten, Collin County.

To be Members of the TEXAS WORKERS' COMPENSATION INSURANCE FUND BOARD OF DIRECTORS: Michael W. Brest, Tom Green County; Patricia Ann "Pat" Crawford, Bastrop County; Larry K. Durrett, Cherokee County; Pat O'Neal, Dallas County; Fernando Reyes, Jr., Bexar County; Tommy G. Salome, McLennan County; Martin H. Young, Jr., Montgomery County.

To be a Member of the STATE BANKING BOARD: Patricia Crawford Peale, Cooke County.

To be Members of the TEXAS SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED GOVERNING BOARD: Dr. Michael David Connolly, Nacogdoches County; Dr. Roseanna Currey Davidson, Lubbock County; Kerry Lee Goodwin, Dallas County; Edward F. Guerra, Travis County; Mary Sue Staples, Dallas County; Frankie D. Swift, Runnels County.

To be a Member of THE FINANCE COMMISSION OF TEXAS: Jeff Austin, Jr., Cherokee County.

To be Members of the GOVERNOR'S ADVISORY COMMITTEE ON IMMIGRATION AND REFUGEES: Salvador Balcorta, El Paso County; Kassahun Bisrat, Harris County; Noe B. Calvillo, Hidalgo County; Andrew R. Duron, Nueces County; Amalia del Rosario Mezo, Dallas County; Lillian Mirsky, Bexar County; Jose G. Moreno, El Paso County; Dr. Walter H. Nguyen, Dallas County; Paul Parsons, Travis County; Richard A. Rosenthal, Harris County.

To be Members of the DEPARTMENT OF INFORMATION RESOURCES BOARD OF DIRECTORS: Jim C. Brunjes, Lubbock County; Dr. Jennifer Stamper, Dallas County; Dorothy G. Wells, Travis County.

To be Members of the INTERNATIONAL TRADE COMMISSION GOVERNING BOARD: Robert W. Hsueh, Dallas County; Robert B. Reeves, Shelby County.

To be Members of the TEXAS STATE LIBRARY AND ARCHIVES COMMISSION: Mayor Patrick Heath, Kendall County; Marvin A. Rich, Harris County.

To be a Member of the TEXAS COMMISSION OF LICENSING AND REGULATION: John W. "Wil" Galloway, Bee County.

To be a Member of the STATE PRESERVATION BOARD: Joseph F. Pinnelli, Travis County.

To be Members of the TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY: K. Michael Conaway, Midland County; Jerry A. Davis, Harris County; Jimmy Lee Mason, Lubbock County.

To be a Member of the TRINITY RIVER AUTHORITY OF TEXAS BOARD OF DIRECTORS: Judi Jones Benestante, San Jacinto County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Bivins gave notice that he would tomorrow at the conclusion of morning call submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

GUEST PRESENTED

Senator Henderson was recognized and introduced to the Senate Anthony Davis of Rosehill Christian School in Tomball, who is serving today as an Honorary Page for the Senate.

The Senate welcomed its guest.

CONFERENCE COMMITTEE ON HOUSE BILL 1343

Senator Montford called from the President's table, for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on **H.B. 1343** and moved that the request be granted.

The motion prevailed.

The President asked if there were any motions to instruct the conference committee on **H.B. 1343** before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Montford, Chair; Whitmire, Brown, Moncrief, and Bivins.

SENATE BILL 1504 WITH HOUSE AMENDMENTS

Senator Montford called **S.B. 1504** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Committee Amendment No. 1

Amend **S.B. 1504** by adding a new paragraph at the end of Sec. 5. **CONTRACT WITH PRIVATE VENDOR**, to read as follows; "Data collected as provided herein by the vendor, shall not be used by any party other than the Department, the political subdivision, and the vendor as provided for herein."

Committee Amendment No. 2

Amend **S.B. 1504** by adding the following appropriately numbered section to read as follows and renumbering subsequent sections accordingly:

SECTION ____. Section 144, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), is amended by amending Subsection (b) and adding Subsections (f) and (g) to read as follows:

(b) In each fiscal year, a municipality may retain, from fines collected for violation of any highway law as set forth in this Act and from special expenses collected under Article 45.54, Code of Criminal Procedure, in cases in which such violation is alleged, an amount equal to 30 percent of the municipality's revenue for the preceding fiscal year from all sources, other than federal funds and bond proceeds, as shown by the audit performed under Section 103.001, Local Government Code. After a municipality has retained that amount, the municipality shall send to the state treasurer any portion of a fine or special expense collected that exceeds one dollar (\$1). The state treasurer shall deposit funds received under this section in the state treasury to the credit of the general revenue fund.

(f) A municipality retaining amounts under Subsection (b) shall provide to the state treasurer not later than the 120th day after the last day of the municipality's fiscal year:

(1) a copy of its financial statement prepared for that fiscal year and filed as required by Chapter 103, Local Government Code; and

(2) a report that indicates the total amount collected for that fiscal year under Subsection (b).

(g) The treasurer shall enforce the limitation on the amount a municipality may retain under Subsection (b).

Floor Amendment No. 1 on Third Reading

Amend **S.B. 1504** on third reading by striking the language added by second reading Amendment No. 2 by Madden.

The amendments were read.

On motion of Senator Montford and by unanimous consent, the Senate concurred in the House amendments to **S.B. 1504** by a viva voce vote.

SENATE BILL 707 WITH HOUSE AMENDMENTS

Senator Rosson called **S.B. 707** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Amendment

Amend **S.B. 707** by substituting in lieu thereof the following:

**A BILL TO BE ENTITLED
AN ACT**

relating to creating an offense for the possession of aerosol paint by a person younger than 18 years of age and regulating access by customers to aerosol paints; providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 485, Health and Safety Code, is amended by adding Section 485.0331 to read as follows:

Sec. 485.0331. POSSESSION OF AEROSOL PAINT BY A MINOR.

(a) A person who is younger than 18 years of age commits an offense if the person knowingly or intentionally possesses aerosol paint.

(b) It is an affirmative defense to prosecution under this section that the person possesses the aerosol paint while under the direct supervision of an adult having supervisory responsibility over the person.

(c) An offense under this section is a Class C misdemeanor.

SECTION 2. Subchapter B, Chapter 485, Health and Safety Code, is amended by adding Section 485.019 to read as follows:

Sec. 485.019. RESTRICTION OF ACCESS TO AEROSOL PAINTS.

(a) A business establishment that displays aerosol paints must display the paints:

(1) in a place that is in the line of sight of a cashier or in the line of sight from a workstation normally continuously occupied during business hours;

(2) in a manner that makes the paint inaccessible to patrons of the business establishment without the assistance of an employee of the establishment; or

(3) in an area electronically protected, or viewed by surveillance equipment that is monitored, during business hours.

(b) A court may issue a warning to a business establishment for its first violation of this section or impose a civil penalty of \$100. After receiving a warning or penalty for a first violation, a business establishment is liable to the state for a civil penalty of \$100 for each subsequent violation.

(c) For the third violation of this section in a calendar year, the court may issue an injunction prohibiting the business establishment from selling aerosol paints for a period of not more than two years. A business establishment that violates the injunction is liable to the state for a civil penalty of \$100, in addition to any other penalties allowed by law, for each day the violation continues.

(d) If a business establishment fails to pay a civil penalty under this section, a court may issue an injunction prohibiting the establishment from selling aerosol paints until the establishment pays the penalty, attorney's fees, and court costs.

(e) The attorney general or the county attorney or district attorney of the county in which a violation is alleged to have occurred may file suit to issue a warning, collect a penalty, or request an injunction.

(f) A penalty collected under this section shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION 3. This Act takes effect September 1, 1995.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Floor Amendment No. 1

Amend C.S.S.B. 707 as follows:

(1) On page 1, line 9 insert "residing in a county with a population of more than 50,000" between "age" and "commits".

The amendments were read.

Senator Rosson moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the conference committee on S.B. 707 before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Rosson, Chair; Moncrief, Ellis, Montford, and Madla.

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

H.B. 2793 to Committee on Economic Development.

**SENATE RULE 11.19 SUSPENDED
(Posting Rule)**

On motion of Senator Rosson and by unanimous consent, Senate Rule 11.19 was suspended in order that the Committee on Economic Development might consider the following bills today:

**H.B. 331
S.B. 1370**

**SENATE RULE 11.19 SUSPENDED
(Posting Rule)**

Senator Brown moved to suspend Senate Rule 11.19 and all other rules in order that the Committee on Natural Resources might consider the following bills today:

**H.B. 1757
H.B. 3193**

The motion prevailed by the following vote: Yeas 22, Nays 8.

Yeas: Armbrister, Bivins, Brown, Cain, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Moncrief, Montford, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth.

Nays: Barrientos, Ellis, Luna, Rosson, Truan, West, Whitmire, Zaffirini.

Absent: Nelson.

**SENATE RULE 11.19 SUSPENDED
(Posting Rule)**

On motion of Senator Ellis and by unanimous consent, Senate Rule 11.19 was suspended in order that the Committee on Intergovernmental Relations might consider **H.B. 1783** today.

GUEST PRESENTED

The President introduced to the Senate Representative Dawnna Dukes of Austin.

The Senate welcomed Representative Dukes.

MESSAGE FROM THE HOUSE

House Chamber
May 16, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on **S.B. 60** with a record vote of 101 Ayes, 46 Nays, 1 Present-not voting.

H.C.R. 204, Honoring William Gooch on the occasion of his retirement.

Respectfully,

Cynthia Gerhardt, Chief Clerk
House of Representatives

MEMORIAL RESOLUTIONS

S.R. 1089 - By Turner: In memory of Lillie Lee Turner of Pasadena.

S.R. 1090 - By Turner: In memory of Keri Marie Kruse Gavit of Round Rock.

CONGRATULATORY RESOLUTIONS

S.C.R. 153 - By Barrientos: Commending Youth Advocacy, Incorporated, of Travis County.

S.C.R. 156 - By Barrientos: Congratulating D. L. "Dally" Willis of Midland on the occasion of his 75th birthday.

S.R. 1071 - By Haywood: Recognizing Dr. Dennis Cravens of Vernon Regional Junior College for being selected as a winner of the Piper Professor Award from the Minnie Stevens Piper Foundation of San Antonio.

S.R. 1076 - By Cain: Recognizing Emery S. Cathey of Rains County on the occasion of his retirement from his lifelong career as an educator.

S.R. 1077 - By Cain: Recognizing Ann Zene Cathey for her 29 years of service as a schoolteacher with the Rains Independent School District.

S.R. 1078 - By Moncrief: Congratulating Marguerite Johnson on the occasion of her retirement from the Fort Worth Independent School District.

S.R. 1079 - By Barrientos: Recognizing Alta Rose Corbitt of Austin, who is retiring after 36 years of service as a state employee.

S.R. 1080 - By Sims: Recognizing the City of Santa Anna in Coleman County as it celebrates Funtier Days.

S.R. 1081 - By Lucio: Recognizing Maurice C. "Marty" Driggers for earning a doctorate from the University of Houston.

S.R. 1082 - By Nixon: Extending best wishes to the City of Jasper as they celebrate Jasper Day at the State Capitol.

S.R. 1083 - By Barrientos: Congratulating Paula Ortiz of Austin on the occasion of her graduation from The University of Texas at Austin.

S.R. 1084 - By Turner: Congratulating the Wheeler Springs Community in Houston County on receiving an official Texas Historical Marker.

S.R. 1085 - By Turner: Recognizing Marvin Tate on the occasion of his retirement after 10 years of service as Mayor of the City of Bryan.

S.R. 1086 - By Turner: Congratulating Lynn McIlhaney on being one of five women from the Brazos Valley named as 1995 Women of Distinction by the Bluebonnet Girl Scout Council.

S.R. 1087 - By Turner: Congratulating Anne Black on being one of five women from the Brazos Valley named as 1995 Women of Distinction by the Bluebonnet Girl Scout Council.

S.R. 1088 - By Turner: Congratulating Mary Makins of Bryan on being selected for the Financial Services Advocate of the Year award by the United States Small Business Administration's Houston district.

S.R. 1091 - By Turner: Congratulating Susan Birdwell on being one of five women from the Brazos Valley named as 1995 Women of Distinction by the Bluebonnet Girl Scout Council.

S.R. 1092 - By Turner: Congratulating Elizabeth Smith on being one of five women from the Brazos Valley named as 1995 Women of Distinction by the Bluebonnet Girl Scout Council.

S.R. 1093 - By Turner: Congratulating Mell Pruitt on being one of five women from the Brazos Valley named as 1995 Women of Distinction by the Bluebonnet Girl Scout Council.

H.C.R. 102 - (Harris): Designating October 1995 and October 1996 as Down Syndrome Months in Texas.

H.C.R. 175 - (Wentworth): Commending Amy Grunwald of New Braunfels for being selected as the 1995 Texas Junior Miss.

ADJOURNMENT

On motion of Senator Truan, the Senate at 12:04 p.m. adjourned until 9:30 a.m. tomorrow.

APPENDIX

REPORTS OF STANDING COMMITTEES

The following committee reports were received by the Secretary of the Senate:

May 16, 1995

STATE AFFAIRS — H.C.R. 128, H.C.R. 127, H.B. 2008, H.B. 1124, H.B. 1225, H.B. 1399, H.B. 1544, H.B. 2053, H.B. 2390, H.B. 2496, H.B. 2588, H.B. 2304, C.S.H.B. 2754

FINANCE — H.B. 1320, H.B. 1510, H.B. 609, H.B. 1537, H.B. 699 (Amended), H.B. 2610, C.S.H.B. 3122, H.J.R. 73, H.B. 1341 (Amended), H.B. 3109, H.B. 340, H.B. 366, H.J.R. 31, H.B. 674, C.S.H.B. 1479

SIGNED BY GOVERNOR

(May 11, 1995)

S.B. 128 (Effective August 28, 1995)
S.B. 323 (Effective immediately)
S.B. 450 (Effective immediately)
S.B. 561 (Effective September 1, 1995)
S.B. 606 (Effective immediately)
S.B. 773 (Effective August 28, 1995)
S.B. 786 (Effective immediately)
S.B. 792 (Effective September 1, 1995)
S.B. 855 (Effective September 1, 1995)
S.B. 959 (Effective September 1, 1995)
S.B. 965 (Effective immediately)
S.B. 1028 (Effective August 28, 1995)
H.B. 462 (Effective October 1, 1995)
H.B. 921 (Effective immediately)
H.B. 947 (Effective immediately)
H.C.R. 24
H.C.R. 188

FILED WITHOUT SIGNATURE OF GOVERNOR

(May 11, 1995)

H.B. 722 (Effective September 1, 1995)

SIGNED BY GOVERNOR

(May 15, 1995)

H.B. 44 (Effective September 1, 1995)
H.B. 1264 (Effective immediately)
H.C.R. 189

SENT TO GOVERNOR

(May 16, 1995)

S.C.R. 152
S.B. 532
S.B. 1228
S.B. 1617

SENT TO SECRETARY OF STATE

(May 16, 1995)

H.J.R. 64